

INTRODUCTION OF HIS PRIVATE BILL FOR THE RELIEF OF JUDITH TANJOH AND HER CHILDREN SERGE, MARINE, EMMANUEL AND ROGER TIKUM

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. VAN HOLLEN. Mr. Speaker, today I have introduced a bill for the relief of Judith Tanjoh and her children Serge, Marie, Emmanuel and Roger Tikum.

This family last entered the United States in 1988 in A-2 diplomatic status from the Republic of Cameroon when the now deceased husband of Judith Tanjoh was attached to the Cameroon Embassy. For the next several years the family lived in lawful status in the U.S. through December 31, 1997 when the husband was recalled to the Cameroon because of Judith's political activities against the Cameroon government.

Cameroon has been found by the U.S. State Department's Country Reports on Human Rights Practices to possess a "poor human rights record", continuing to commit "numerous serious abuses". After her husband's recall, Judith decided to file for asylum. However, in turn her application was denied by the INS Asylum Office, the Immigration Judge, the Board of Immigration Appeals, and the U.S. Court of Appeals for the 4th Circuit.

When the Board of Immigration Appeals "affirmed without opinion" the denial of the asylum application by the Immigration Judge on December 17, 2002, it also permitted the family to "voluntarily depart the U.S. . . . within 30 days from the date of this order or any extension beyond that time as may be granted by the district director [of the INS]". Within that 30-day period, Judith's attorneys filed for an extension of the voluntary departure period and a Petition for Review in the U.S. Court of Appeals for the 4th Circuit. Each filing was in accordance with the family's statutory and regulatory rights.

The INS has never responded to the request for extension of the voluntary departure period. The 4th Circuit issued its mandate on November 10, 2003 "enforcing the Board's order of December 17, 2002". Of course, part of that order was permitting the family to voluntarily depart within 30 days.

While these proceedings were pending, INS issued Judith authorization to work and she obtained employment as a certified nursing assistant. Her employer has sponsored her (and her children derivatively) for lawful permanent residence via the Labor Certification process. That application, initially filed prior to April 30, 2001, has been certified by the U.S. Department of Labor and an Immigrant Worker's Visa Classification Petition has been pending with INS since July, 2003.

An INS General Counsel's Memo advises INS Government Attorneys to no longer apply the "exceptional and compelling circumstances" standard to motions to reopen for consideration of adjustment of status to lawful permanent residence for persons who have been in deportation proceedings. The Memo instructs that the INS should join in such a motion (which otherwise could not be filed if more than 3 months have expired since the decision of the Board of Immigration Ap-

peals) if the alien is statutorily eligible and warrants a favorable exercise of discretion. Judith's attorneys have twice requested the INS Chief Counsel's Office in Baltimore to join in such a motion in this case. Since Judith's labor certification was timely filed to allow her to adjust her status to permanent residence, she is statutorily eligible.

The family also clearly warrants a favorable exercise of discretion. Judith has been a hard-working, tax-paying certified nursing assistant for several years as she has worked with INS permission. The children have successfully progressed through our school system for the last 15 years.

The Tanjoh/Tikum family are not criminals. They are not terrorists. The children fear being uprooted from their true home in the U.S. and forced to live in a human rights abusive country which they do not know and whose predominant language they do not speak.

Yet, the INS Government Attorneys have coldly rejected each overture for clemency. First, by insisting that the harsher "exceptional and compelling circumstances" standard applies and that these circumstances were neither exceptional nor compelling. Second, by stating that the family was not statutorily eligible for permanent residence because they overstayed the Board of Immigration Appeals' December 17, 2002 Order granting a 30-day voluntary departure period even though the INS has never responded to the extension requests and even though the family timely pursued their Petition for Review rights to the 4th Circuit which only enforced the Board's Order on November 10, 2003.

Therefore, today I have introduced a Private Bill that will enable Judith Tanjoh and the Tikum children to obtain permanent residency. I hope my action today will help bring this heartbreaking story to a close.

IN HONOR AND REMEMBRANCE OF BARNEY KILIAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Barney Kilian, affectionately known as the "Mayor of Old Brooklyn," and beloved husband, father, grandfather, great-grandfather, community activist, expert gardener and friend to countless people in Cleveland's Old Brooklyn neighborhood and far beyond.

Mr. Kilian lived life with great joy and energy and was always willing to offer assistance to anyone in need. His unwavering focus on the welfare of the Old Brooklyn neighborhood extended beyond the lines of ward borders. His life-long interest in local politics never subsided; Mr. Kilian was an active member of the Democratic Party and was elected to serve as Precinct Committeeman in Ward 15.

In the Spring of 1980, at the age of 72, Mr. Kilian led a volunteer effort to clean up and restore the historic Benjamin Franklin Community Gardens. Neglected for decades, the Gardens had become overgrown with weeds, rocks and refuse. Though a daunting task, Mr. Kilian welcomed the challenge of renewing the site, which is the largest community garden in Cuyahoga County. Armed with a generous

heart and quick wit, Mr. Kilian, with support from the Old Brooklyn Community Development Corporation, led neighborhood volunteers in transforming the seven-acre site into 220 plots of thriving, flourishing gardens. He restored the teaching garden utilized by adjacent Benjamin Franklin Elementary School and set aside several plots where produce was specifically grown to help feed Cleveland's hungry. For 21 consecutive growing seasons, Mr. Kilian kept a watchful eye on the Gardens. Making several trips a week, he loaded up his old car and delivered the produce to area hunger centers, including the Brookside Center, St. Herman's, St. Mary's and St. Augustine's.

Mr. Speaker and colleagues, please join me in honor, remembrance and gratitude to Mr. Barney Kilian, whose life was framed by kindness, humor and devotion to his community. I offer my condolences to his daughters, June, Diane and Donald; to the memory of his late wife, Janet and late son, Raymond; to his son-in-law, Charles; to his grandchildren, Charlene, Christine, Cheryl, Lisa and Raymond Jr.; to his four great-grandchildren; and to his many friends. Although Barney Kilian will be deeply missed, his love for the people of Old Brooklyn and their love for him will rise every Spring with the first sign of radiant color rising from Benjamin Franklin Gardens along Spring Road, and far beyond.

CONGRATULATIONS TO GOVERNOR ED RENDELL AND CONGRESSMAN BOB BRADY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. MURTHA. Mr. Speaker, I want to commend Governor Ed Rendell and Congressman Bob Brady of Pennsylvania for their key roles in facilitating successful contract negotiations between the Southeastern Pennsylvania Transportation Authority (SEPTA) and the labor union.

The following article, "The Pair Who Powered the SEPTA Deal," illustrates Governor Rendell's and Congressman Brady's skillful and active leadership in resolving the issues between the parties. They saw a large problem facing the region and without hesitation waded in, rolled up their sleeves, and brought everyone together. I believe their hands-on approach and the confidence that both sides placed in their ability to handle the issues fairly serves as an excellent reminder of the kind of dedicated public service everyone looks for in their elected leaders.

[From the Philadelphia Inquirer, Nov. 8, 2005]

THE PAIR WHO POWERED THE SEPTA DEAL (By Larry King and Marcia Gelbart)

At 3:45 a.m. yesterday, he paced alone on an empty, shadowed sidewalk at Broad and Walnut Streets.

He was not part of the SEPTA contract negotiations taking place above him on the 11th floor of the Bellevue in Center City. But like an anxious mother hen, neither was he ever far from them.

A passerby recognized the barrel-chested figure in the dark-blue warm-up suit, a thatch of gray curls atop his head.

Congressman Brady?